

**BUTTE-SILVER BOW LOCAL GOVERNMENT
STUDY COMMISSION**

**Minutes of the Meeting
October 6, 2005**

Butte-Silver Bow Courthouse, First Floor Conference Room

Meeting Date: October 6, 2005

Time: 5:30 p.m.

Place: Butte-Silver Bow Courthouse, First Floor Conference Room

Call to Order: Chairman Bob Worley brought the meeting to order at 5:36 p.m. and called roll with the following results:

Members Present: Ristene Hall, Wayne Harper, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley

Excused Absences: Tony Bonney, Shag Miller

Approval of Minutes: Minutes from Sept 15th and September 22nd approved.

Comments from Ron Rowling: No comments.

Citizen's Comments: None. Wayne introduced Ross from Boy Scouts. Ross was attending for his Communication Badge.

Items Not Addressed on Agenda: Chairman Bob Worley commented that he did meet with Mary McMahon regarding the County Superintendent of Schools. Mary had made some phone calls to other counties and discovered that the information from Bozeman was incorrect. Most of the people that take over the County Superintendent of Schools are under the Treasurer's Office, not the Clerk and Recorders. Bob Worley stated that she is going to do a follow-up on that and should have a report back from her by next week's meeting. Bob commented that he also visited with her about redistricting. Bob stated that right now they are in the process of redistricting and Mary did not see a big deal with it. From last week's meeting there was information, in regard to rural areas making complaints, that they do not have enough say in local government. Bob had brought that to Mary's attention, the possibility of creating a district that took care of all the outlying small areas such as, Melrose, Divide, Ramsay and Rucker. Bob stated when you are redistricting the community, it is done so there is, as close as possible, an equal number of voters in each one of the commissioner's district. The way it is set up now, there is not enough registered in voters in Melrose, Divide, Wise River and Ramsay to make up a district. Bob felt there was not anything they would be able to do but encourage people that live in those areas to join the commissioner's races and campaign.

Dave Palmer asked if the self-governing powers gave the community the right to change districting?

Bob Worley replied that he did not think they would want the districts too far out of place as far as the number of voters in each district.

Dave Palmer replied that Mary stated according to state law, it has to go the way it is going now. Bob Worley stated they have to be divided somewhat on an equal basis as to the number of voters within each commissioner's district.

Dave Palmer asked what makes that different from the school board where they have a rural representative? Bob Worley replied that school districts are established differently than the commissioners are. Bob Worley stated that there is school district for Ramsay, Melrose and Divide. Dave Palmer replied that is on

the grade school level but in the high school, it is countywide. Dave Palmer asked is there a difference and why can't they do that on a county level. Bob Worley replied that they could ask Bob McCarthy that.

Bob Worley commented that he had also spoken with Mary McMahon regarding the number of commissioners and she was going to give some ideas on why there should be eight commissioners instead of twelve. Bob Worley stated that she is very much against them designating Rob Macioroski as a Department Head and will campaign against that. Bob Worley had asked her for reasons why.

Bob Worley commented that he has been in touch with the BSB Police Commission regarding questions they have. He had a meeting set up for October 3, 2005 but it had to be rescheduled for October 12th at 4:30 p.m. in the Chief Executive's Conference Room. They are going to talk to them about the appointing of the Sheriff versus electing. Bob Worley stated that he would also like to bring up the idea of a volunteer police force on a basis, such as crowd control.

Northey Tretheway asked if there is a facilitator performing efficiency measures in government now?

Bob Worley replied that Dave had received a letter on it. Bob asked Dave if he was selected for an interview and he stated that his interview is on October 11th.

Dave Palmer commented if he was concerned about a volunteer police force he should contact the Police Protective Association. Bob Worley replied they are the ones who are fighting it the hardest.

Bob Worley replied that probably goes back to something that is negotiated in their contract.

Bob Worley brought up the issue of autonomous boards. Bob Worley stated they have 3 in BSB, the Health Board, Airport Board, and Port of Montana.

Bob Worley commented that he was not sure how they would get into where the council would approve their expenditures on a weekly basis. Wayne replied they could not.

Meg Sharp commented that she went to the URA meeting. She stated they just go through and start approving things.

Dave Palmer replied that a lot of times it looks that way but they receive the information well before the meeting and it has been reviewed. Usually it has gone to a sub-committee of the board. That is why it looks like the council is rubberstamping everything.

Wayne Harper stated that autonomous boards and all other boards are set by the County Commissioners.

Bob Worley stated that it is safe to say they are comfortable with the way the autonomous boards are working in BSB.

Ristene Hall commented that she thought the council might not have been approached as far as making changes on it. Ristene stated her idea is that every penny that gets spent, people should know about it before it gets approved. Ristene further stated sending everything to the council the week before they approve it and letting the people know what is going to happen. Not just letting people find out about it in the newspaper the following day.

Northey Tretheway agrees with Ristene but he thinks that is a separate issue from autonomous boards. Northey stated that she could say the same thing for all the money in the BSB expense.

Ristene replied that most of it does go before council except for the autonomous boards.

Bob Worley clarified Ristene's statement that the county approves a budget every year for a certain amount in each in department. They also approve the money into the autonomous boards.

Northey Tretheway commented that they approve the budgets for the departments and the autonomous boards. The departments spend the money the way they see fit without having to go through the commissioners every time.

Dave Palmer stated that the airport autonomous board has their budget and part of it is multi-million dollar federal grants that come in, council does not see that. The council does not approve or disapprove of it. If the board wants to resurface a runway, they do not go through the council and ask permission.

Northey Tretheway asked if the Public Works Department's budget is \$25 million, how much of that is (after it is budgeted and approved by Council) again approved by the council? Dave replied anything that is a contract.

Dave Palmer commented if it goes out for bid then the contract would have to be approved.

Ristene Hall commented all of it is your money and wouldn't you like to know how it is being spent?

Northey Tretheway replied they are talking about contracts. It separates what autonomous boards are required to go back for and the rest of BSB.

Ristene Hall replied that was right. Ristene commented that if the autonomous boards go into a contract with someone, it does not have to be approved by council.

Bob Worley commented that maybe this is a council problem that should be brought up as a suggestion to the council to oversee their autonomous boards. They need to come up with a way for contracts for a certain amount or over a certain amount have to be approved even by autonomous boards.

Bob Worley asked Ron if he had followed up or heard back from any of the other counties.

Ron Rowling stated that he had followed up on it and asked Bob if he would accept answers from other county's study commission members. Ron stated that he has not had much cooperation from the other counties government.

Bob Worley replied if that is the only place they can get information then that would be acceptable but he would really like to get information right from the government.

Ristene commented that it should be taken to the Council of Commissioners but also take it to the citizens to find out how they feel about it because the citizens, the council should be voting according to what the citizens want.

Northey Tretheway commented that the council has the latitude within the law to create autonomous boards to help them fulfill what they are trying to do about taking their time away from what they need to do elsewhere. If something is so important and it needs to stay under the council why not just keep it under the council? Why do you need a board?

Ristene Hall replied that they are separate and are the ones that make the decision. They bring the decision back to the council.

Ristene Hall commented that they are making tax dollar spending decisions without asking anybody.

Northey Tretheway commented it sounds to him that it comes down to contracts. The rest of it is the same whether it is in a Silver Bow County or in a board according to what he is hearing. Northey commented that you could write in there all contracts need to be reviewed by council. Dorea Wilmoth stated that is already in the charter. Bob Worley asked even with the autonomous boards? Dorea replied yes.

Ristene Hall commented in regard to the Council's time, that is what they are there to do. They are there to watch over the tax dollar and how it is spent. They should not be spending their time on dog problems or potholes.

Northey Tretheway replied that he does not disagree with her but he thinks there is a procedural issue with how the council operates and what they spend their time on. Northey felt it was more than autonomous boards and everything else, whether it is potholes or dogs running through the street. That is a procedure thing that Butte should rectify. He did not know if it was something they could do as a Study Commission.

Ristene Hall replied every contract with the government should be on Monday mornings agenda so the citizens of Butte have time from Monday until Wednesday night to get their questions ready.

Wayne Harper asked what did they say a year ago when Ristene was on the Council of Commissioners and said I would rather have it this way than have autonomous boards. Ristene replied that she never brought it up. Ristene commented that she always questioned why something did not go before the council but the only answer she would get was it did not have to because they are an autonomous board. Wayne replied that was the answer. The Council of Commissioners can decide if they want autonomous boards or not. The council has the authority to change it.

Northey Tretheway stated that they could put something in the charter stating that all contracts need to be reviewed by the council.

Dave Palmer commented that it is under the Chief Executives section that states, executes bonds, notes, contracts and written obligations of the government subject to approval of the Council of Commissioners.

Bob Worley commented that might be something to ask Bob McCarthy.

Ristene Hall commented that there were two citizens present and they should hear their opinions. Neil commented the overwhelming amount of information that would be offered before the general public, there is a reason why you have the commissioners and the boards. They do the work that the public in general does not have time to do. Neil stated you have to have some trust in those people. Neil again commented that it is an overwhelming amount of information.

Ristene Hall replied that she thought there was a misperception because she was not saying that she did not trust the people. She was saying that it needs to be an open government and the information will be there if the people choose to watch for it. Ristene further commented that it is not that much information once someone learns the procedure. Once it is learned, it is not that overwhelming. Ristene commented if there was someone they did not trust something could happen and nobody would know about it.

Northey Tretheway asked if somebody under those boards, when they get their budget approved, is there an avenue for the citizens to find out about that information? Ristene replied that they could probably go to the URA Board. Northey asked if Council would say yes, they want to know what it is. Northey asked would the council call that board before the public and have them explain what the budget is for? Ristene replied yes, but nobody knows about it until it is in the newspaper and by that time is a done deal. Northey replied that they would know the budget has been approved and then the budget is used as the basis for signing a contract.

Ristene replied yes you could. Ristene stated that by the time it gets to the citizen it is already done. The contract has already been approved.

Dorea asked if anyone could attend a URA meeting? There were replies that one could. Dorea asked if they would need to put out an agenda? Ristene replied that she did not think there was an agenda.

Bob Worley asked when the Council of Commissioners approves a budget for URA, don't they approve a lump sum of money based off of excess taxes of properties within the URA districts? Bob Worley asked when they come in and say they have, for example, \$2.5 million for URA then there is nothing done with

that money until such time that URA decides to do anything. Bob stated that they are all approved on an individual basis.

Ristene Hall replied when it is approved you take it to the council. If the board has approved this, what does the council think? Ristene replied that they get a few days to look at whatever the expenditure is. They get a few days to ask questions, talk to the people and get their opinions on how it is being spent. Ristene commented that it is not an open government when the money being spent is something the people do not know about. Northey asked if the public could go to their meetings and find out. Ristene replied that they could. Northey asked if they did not agree with it they could bring that issue up to the board? Ristene replied that would mean they would need to attend all the meetings because nothing is in the newspaper.

Northey Tretheway replied that the public could go to the meetings to find out. Ristene replied that they would have to go to all the meetings because nothing is in the newspaper until after the expenditure is approved.

Ristene Hall replied it is similar to Paul Babb's expenditure on the electric utility line. Ristene replied that was a good thing but the people did not understand what the expenditure was by the way it was written up. It sounded like he gave the pizza company a check for \$42,000. Ristene stated if that expenditure had gone before the council it would have been in the paper saying we are spending \$42,000 on infrastructure for this area and it is going to help McKenzie Pizza and anything else that is developed within that area.

Wayne Harper commented that he did not go to last council meeting and has no idea if they spent \$522,000 on water pipes and on what block or if they spent \$68,000 on an infrastructure because he did not see anything in the newspaper about what the council is spending. The only thing he saw in the newspaper was that they are going to retroactively approve the McKenzie River Pizza.

Ristene Hall replied some of it is published in the paper. Wayne Harper replied one or two things a year? Ristene replied it is on the agenda that comes out days before. Wayne replied that one would have to go to every meeting. Ristene replied that one would have to pick up the agenda and look at it.

Bob Worley commented that it is something they need to pursue as a suggestion to the Council of Commissioners that they feel autonomous boards and the way they spend money and do not approve contracts through the council is something that should be looked at. Bob further commented that rather it being done in the charter it could be done through an ordinance.

Wayne Harper commented by state law the Council of Commissioners can say any board, district or commission it sets up, here is the money each will get and this is how they will account to the council before they spend it.

Northey Tretheway replied that what he is saying the form and structure is already in the law and their procedure is allowing them latitude to operate within the law.

Bob Worley moved forward and closed comments regarding autonomous boards.

Bob Worley asked Northey if he has heard anything from Evan.

Northey Tretheway replied that Bob has seen the e-mails that he has sent and he has called but has not heard back from Evan. Northey stated that he has just looked back at what he commented from the notes. Northey stated that Evan's reasoning is that he thought some of the major functions that BSB provides needs to be identified in the charter and that it might make sense to phrase something about Butte being an adequate and economic development in the preamble. Northey stated that the only thing he got from Evan when he spoke to him last week was that he thought the preamble was weak.

(End of tape 1, side 2)

Bob Worley asked if anyone went to the Walkerville public meeting. Meg Sharp attended and found it difficult as to why they existed. She stated that they don't have a charter like BSB does. The citizens that were there discussed if they wanted to be a part of BSB and wanted to know if they would get a benefit from it. They wanted to know if they would get more money, better street cleaning, better police service and so forth. One thing that they mentioned and Meg stated she did not know how accurate it was is Walkerville has the same zip code as Butte. Apparently at one time they had their own zip code. When the citizens of Walkerville go to pay their taxes, if their address says Butte then they don't get a certain amount of taxes. They are going to try make sure they all have addresses that state Walkerville.

Cindi Shaw had a message from Charlie O'Leary and he stated he was adamant about not changing the number of commissioners. He claimed the county was getting a bargain.

Bob Worley stated that was the same thing he said to him. Bob had told him that they are trying to free up the Council of Commissioners to some degree and allow them to participate in things that really should be participated in to run a government such as monies and how they are spent rather than dog problems and stop signs. Charlie commented if someone came to him with a dog problem, he has to address that and get to somebody. He tells them if they have not heard back from him in two weeks to call him. Bob told him two weeks is too long and that is when people get mad. Bob commented that Charlie told him that he should not consider changing the number of commissioners and asked where he got an idea like that. Bob told him that those ideas come from the citizens on the street and those are the people that are saying the number should be less than twelve. Charlie O'Leary told Bob that they serve on a number of boards and committees. Bob Worley asked Charlie if each council member would do a list of the committees and boards that each one of them sits on. Bob told him that might help his case in keeping twelve commissioners. Bob Worley commented that they might decide to keep twelve. It is not known at this point.

Northey Tretheway stated that it is not a matter of deciding if they are going to keep twelve, it is a matter of it being put on the ballot.

Bob Worley moved forward with review of the charter. Bob would like to pass over the number of commissioner issue until he gets the information from Mary McMahon. Bob Worley commented that she had another thing going on with the Ramsay water district and trying to get the votes counted for that.

Bob Worley commented that he would like Bob McCarthy to attend to answer questions about the Interpretations of Powers, Section 2.04.

Bob Worley moved forward to Article III, Section 3.02 (b) Qualification.

Bob Worley asked if they wanted to pursue the commissioner being a resident and his/her attendance of meetings.

Meg Sharp replied that the council member should have to attend a certain percentage of meetings. Bob Worley thought there was a rule in the rules of commissioners that one could only miss 4 out of 48 meetings.

Bob Worley stated that he was not sure if they want to get involved with what they are doing. Bob felt the commissioners pretty well place themselves. Meg Sharp replied that the only time they didn't is where it says he/she cannot be an employee of BSB.

Bob Worley reviewed items:

- (c) Election.

- (d) Terms

Cindi Shaw commented that she attended the Pachyderm meeting and Paul Babb was the guest speaker. Cindi stated he was very upfront about all of the issues he is confronting. He mentioned about the charter that his full premise was that he went by the charter. Cindi commented that the charter supersedes the state government. Paul Babb mentioned that the fact that it was not changed was something where he did not

feel he had to reinterpret it. Cindi commented in the beginning of the charter is specifies that the Chief Executive had to go over the charter. Cindi was wondering if they should invite Paul back to give his opinion on that.

Ristene Hall replied she thought that if the law was changed then that change should have gone to the council. The council would then make the changes in the charter. However, that did not happen so the charter should still prevail.

Cindi Shaw replied that he should not have been expected to know that. Nobody would expect the Chief Executive to second-guess the charter. Cindi commented that he is going to appeal it if the court does not decide in his favor.

Northey Tretheway commented that you could put that language in there but to his knowledge, state law prevails over the charter.

Dave does not agree that there is nothing they can do until the court rules on that case. He thinks it is their job to make changes to the charter if changes need to be made and to put it to the voters to put new language in there whether the court states it is still right or not.

Bob Worley replied if they are to make a suggested change to put before the voters is state law still going to prevail if they change the charter?

Dave Palmer replied to put it in accordance with state law.

Ristene stated she is concerned that there are different versions of the charter that have been passed out to them. Bob Worley showed Ristene the charter they were given when they were sworn in. There was also one received from the Chief Executive's office. Bob Worley asked why there would be two different charters? Basically the wording of the two is the same there was an error in one that stated commissions instead of commissioners.

Bob Worley reviewed Section 3.02 parts:

- (e) Vacancies
- (f) Forfeiture
- (g) Removal
- (h) Compensation

The only thing being questioned is the number of commissioners.

Bob Worley review Section 3.03 Powers and Duties of the Council of Commissioners.

- Parts:
- (a) to adopt ordinances and resolutions;
 - (b) to establish and prescribe the functions of departments...
 - (c) to employ an attorney for purposes which the Council...
 - (d) to provide for an independent audit...
 - (e) to authorize community councils to advise the Council...

Bob Worley asked when they are talking about community councils, they are not neighborhood councils, is it something that is established?

Dave Palmer replied he was not sure what they were talking about there.

Bob Worley commented it was brought to his attention that there are community councils in other communities that actually meet with their commissioners such as Great Falls. Bob Worley is going to e-mail a gentleman in Great Falls to get information on how those are set up. Bob stated they have councils below their Council of Commissioners.

- (f) to adopt an administrative code to establish duties consistent with law...

(g) to discharge all legislative duties required by state law...

Meg Sharp had a question that referred to parts g and h, city or county governments. She asked if they should change that to reflect that they are a unified government. Wayne Harper replied that is what it is trying to do. Wayne commented there is a mandated set for a city government they have to meet the mandates of the city. If it is mandated for the county, they have to meet the mandates that follow that. Wayne commented since it is stating they are unified they cannot just pick one.

(h) to adopt by ordinance either county or municipal provisions as set forth in state law...

(i) to approve the budget; however...

(j) to eliminate a local office or department by ordinance if state law eliminates...

(k) to cooperate and enter into agreements with other governmental units...

Bob Worley reviewed Section 3.04 Restrictions on the Council of Commissioners parts:

(a) The legislative procedure of the Council of Commissioners shall be prescribed...

(b) Council of Commissioners shall determine its own rules...

(c) Council of Commissioners shall have a chair...

(d) The presiding officer for all regular and special meetings of the Council of Commissioners shall be the Chief Executive who shall decide all tie votes...

Wayne Harper asked how does that work? Wayne commented for example, Paul Babb is in Japan and not there who is the presiding officer? Dave Palmer replied the chairman would run the meetings in Paul's absence. Wayne Harper asked if that is a violation of the charter? Ristene Hall commented if the chairman runs the meeting then there is an odd number of commissioners so there would not be a tie vote. Wayne read from the charter, which stated the only presiding officer could be the Chief Executive. Meg Sharp replied that there are meetings of the whole, there are different types of meetings and the Chief Executive presides at one type of meeting. Wayne asked what if he is not there? Dave Palmer replied that there is something that states the order of succession. Wayne suggested that they might want to think about saying, who would preside if the Chief Executive is not present.

Dave Palmer replied that there is an ordinance that handles that and that Wayne is right, it should be reflected in the charter.

(e) The Council of Commissioners shall meet at least twice monthly and all meetings shall be open to the public except...

(f) All documents and records of the Council of Commissioners shall be public records...

Northey Tretheway commented that going back and looking at the powers and duties of the Council of Commissioners, in that section it states their duties are to legislate and determine policy. Northey commented on their previous discussion where the council gets into discussing specific operational items. It does not state that they are supposed to do that. They are not doing something that is not prescribed in the charter where they are actually getting in and saying you have potholes...they are dealing with operational items that take up their time from the bigger picture of policy and legislation. Northey asked if that is something that needs to be discussed? Northey further commented on the committees and boards that they serve and last week it was brought up that not every meeting is necessarily a policy in the legislative meeting because it is a meeting made on a committee that he/she is on. Northey asked if that is how that works?

Dave Palmer replied that most meetings are dealing with policy. As far as potholes, when you get a call you are doing the constituent a favor by relaying the information to the proper department. Dave stated that you are by no means telling the Public Works Director to go and fix a pothole as the charter states that a council member cannot tell any employee of BSB what to do.

(End of Tape 2, side 1)

Northey Tretheway commented that to him it sounds like they are discussing issues that are operational.

Dorea Wilmoth stated that if they put a stop sign in it is ordinance.

Dave Palmer stated if you did not have the Council of Commissioners involved in the day-to-day stuff nothing would get done. If you wanted a stop sign at the corner of your house or a pothole fixed, you call the Public Works Department. They may do it or not. What recourse would you have other than when it comes time to elect the Chief Executive?

Northey Tretheway replied that is a good question but is it a function that body is supposed to be providing? Is it to act as an operational supervisor for the departments of BSB or is it to require the departments of BSB meet the objectives that are set out for the county during a period time? You outline the objective, you set the policy and you measure them at the end of a period. If potholes are not getting fixed, you collect that information and determine if you need someone else to do that job because they are not completing what they need to do. Northey commented you hire good people to do the job the right way and if they are not doing it the right way then you change it.

Ristene Hall thinks there needs to be a person that the citizens can contact about potholes and dog problems. Ristene stated it does not need to be the council. The council needs to watch over the budget. They did talk about creating a position where a person's sole job and the whole city knows who to contact and that person will direct it to the right department and follow-up on it promptly.

Northey Tretheway agreed and commented that the council sets up the objectives and the goals. The potholes and other complaints would be a measure that the council could use throughout the year to see if the departments have met their goals and objectives.

Dave Palmer replied it is easy to determine. Drive down a street and see if you hit a pothole or not.

Bob Worley commented that he has not seen many crews out fixing potholes this year.

Northey Tretheway commented that he was not sure how to measure the success in this government. Northey stated that potholes are a big issue and asked what would you measure to see improvement in that area? Would you measure by driving down a couple of streets or would you measure by the number of complaints that is coming in? Something numerically that helps measure the success, such as number of dog problems called in. Northey stated that the responsibility and accountability needs to be given to the departments and then measured on how they perform. Northey felt that was a great function the council could serve on.

Bob Worley commented that a lot of the emphasis in the Health Department has gone to drug rehabilitation. Bob commented when they came to them and said their case load has gone from 100 to 175, he does not see where that is getting ahead. He would rather hear them saying they had 100 last year and have 75 this year. Bob commented on an article in the paper where this guy got a grant for \$107,000. He was going to hire a lot of people with the \$107,000.

Dave Palmer commented that they could add a paragraph and referenced to part (L) that states the council shall set yearly goals and measure department heads about departments on those goals...if it was in the charter they would have to go by it.

Northey stated that he remembers reading that and agreed with that too that there needs to be some way of finding out where money is going other than going to the meeting. He does not know how regularly that information is published in the papers. Northey commented if the public starts seeing where the money is going, they might start to show up.

Dave Palmer commented that every two weeks there is a finance and budget report that you could not afford to have published in the paper but it is public record. Dave commented that the Council of

Commissioner's Finance and Budget Committee meets every two weeks to review and approve every expenditure.

Northey Tretheway replied that they have an annual budget and that would be useful for citizens to see published somewhere where they do not need to attend every meeting to see it.

Ristene Hall stated that BSB budget is complex and to publish something like the pie chart monthly to keep the citizens informed.

Northey Tretheway agreed and stated if that was done in a simple fashion such as a pie chart and every quarter have it shown for example that this department had \$22 million and spent \$24 million. Northey stated people could see where the money is going and be able to understand it. Then they could start demanding where did that \$4 million dollars go? Northey believes as much as they try to distribute and publish that information, it is a complex document and people do not know where the money is going.

Northey Tretheway commented something like that should be in the charter and asked how do you make sure everyone has a copy of the budget and understands it?

Bob Worley went back to Section 3.03, if they were to do a part (l) there, asked on annual or quarterly basis? Northey Tretheway replied at least annually.

Wayne Harper suggested it could be under the Chief Executive's Duties part (g) the Chief Executive shall exercise control and supervision of all appointed departments and boards...Wayne stated it is his job to make sure those people have goals not necessarily the Council of Commissioners.

Bob Worley commented that would be under Section 3.03 Powers and Duties of the Council of Commissioners, it states to set goals and measure the success of department heads on an annual basis.

Wayne Harper suggested instead of putting Council of Commissioners, charge the Chief Executive to set goals and measure the success of department heads on an annual basis.

Bob Worley confirmed all comments from Study Commission members and asked instead of moving it to section 3.03 they are going to move it to section 4.02 and make an addition to part (g).

Bob Worley commented that Bobbi Stauffer requested a list of things the Study Commission was suggesting to change. Meg did not want to do that because there may be things that they decide not to change and it could cause people to get exited or upset. Wayne seconded. Wayne suggested he tell her they do not have a list and are considering everything.

Bob Worley commented that Fritz Daly requested a copy of the charter and would like to work on some wording in regard to Director of Superfund.

Date for Next Meeting: October 13, 2005

Adjournment: Chairman Bob Worley moved for a motion to adjourn. Wayne moved and Northey seconded. Meeting adjourned at 7:35 p.m.

